IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No. 47454-M of 2006.

DATE OF DECISION: SEPTEMBER 21, 2006

Ajmer

...PETITIONER

VERSUS

State of Haryana ....RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.Rajesh Hooda, Advocate,
for the petitioner.
Mr.Partap Singh, Sr.DAG, Haryana.

...

Petitioner Ajmer has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.144 dated 12.12.2005 registered under Sections 304/34 IPC at Police Station Sadar Gohana (Sonepat).

I have heard the counsel for the parties and gone through the contents of the FIR.

In this case, as per the prosecution version, when deceased Balbir entered into the house of petitioner Ajmer, the petitioner and his co-accused Pale Ram presumed him a thief and started beating him with lathis. Even the deceased in his statement had disclosed that he was given beating by the accused treating him as a thief.

Counsel for the petitioner contends that co-accused of the petitioner, namely, Pale Ram, has been granted regular bail by this Court vide order dated August 1, 2006 passed in Crl.Misc.No.38205-M of 2006. The petitioner is in custody since 20.12.2005. In this case, only three witnesses have been examined out of 13 witnesses and the trial is not likely to be concluded soon.

Keeping in view the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

September 21, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE